

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KEILEE FANT, ROELIF CARTER,)	
ALLISON NELSON, HERBERT NELSON,)	
JR., ALFRED MORRIS, ANTHONY)	
KIMBLE, DONYALE THOMAS,)	
SHAMEIKA MORRIS, DANIEL JENKINS,)	
RONNIE TUCKER, TONYA DEBERRY, ET)	
AL.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No.: 4:15-cv-253
)	
THE CITY OF FERGUSON,)	
)	
Defendant.)	

SECOND JOINT STATUS REPORT

COME NOW the parties, by and through their undersigned counsel, pursuant to the First Joint Status Report (Doc. No. 90) and submit their Second Joint Status Report as follows:

1. The parties have reached an agreement regarding the emails provided to the U.S. Department of Justice (“USDOJ”). Defendant has produced wholesale to Plaintiffs the e-mail accounts (with the exception of privileged e-mails) of correctional officers and municipal court clerks/assistant court clerks which Defendant produced to the USDOJ. See Ex. 2 to First Joint Status Report. Defendant has also engaged Thomson Reuters to assist in uploading the USDOJ e-mail accounts to facilitate production of the remaining custodians’ responsive emails to Plaintiffs based on search terms previously identified to this Court. See Ex. 1 to the First Joint Status Report. Thomson Reuters completed the upload on Tuesday of this week, and Defendant anticipates it will produce the e-mails within thirty days of this Report.

2. With respect to the universe of emails within the Defendant's possession, custody and control which were not provided to the USDOJ, Defendant has produced a list of individuals employed by Ferguson on or after February 8, 2010 through the present, including employee numbers, first names, last names, hire dates, end dates (if applicable), departments (to the best of Defendant's knowledge) and supplemental information regarding positions where available. The universe of e-mails in possession of Defendant depends on the individual. Many e-mails are "new" – that is, they were not produced to the USDOJ. From time to time, if the individual ceased working as an employee of Defendant, some accounts were wiped in the normal course of business. Defendant confirms that such wiping was done without any intention of suppressing the truth of the contents therein.
3. Counsel for Defendant has requested that counsel for Plaintiffs identify (subject to supplementation depending on the contents of e-mails produced to Plaintiffs) individuals whose e-mails Plaintiffs contend are discoverable. For example, Defendant does not anticipate Plaintiffs will contend accounts of firefighters or lifeguards are discoverable. Counsel for Plaintiffs will review the employee list, and views the provision of the list as a first step in the meet and confer process.

Respectfully submitted,

/s/ Peter J. Dunne

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I hereby certify that a copy of the foregoing filed electronically with the Clerk of the Court this 6th day of January, 2017, to be served by operation of the Court's electronic filing system upon the following or U.S. mail for parties not registered with CM/ECF:

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